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HOUSE BILL 902

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO ELECTIONS; REQUIRING REGISTRATION AGENTS TO PROVIDE  
APPLICANTS WITH A SIGNED COPY OF THE CERTIFICATE OF  
REGISTRATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 1, Article 1 NMSA  
1978 is enacted to read:

"~~[NEW MATERIAL]~~ REGISTRATION AGENT.--As used in the  
Election Code, "registration agent" means a state or federal  
employee who provides voter registration at a state agency or  
any other individual who assists another person in completion  
of a voter registration application."

Section 2. Section 1-4-5 NMSA 1978 (being Laws 1969,  
Chapter 240, Section 63, as amended) is amended to read:

"1-4-5. METHOD OF REGISTRATION--UNLAWFUL USE OF

underscored material = new  
[bracketed material] = delete

1 INFORMATION--PENALTY.--

2 A. A qualified elector may apply to a registration  
3 officer or agent for registration.

4 B. The registration officer or agent or qualified  
5 elector shall fill out each of the blanks on the original and  
6 the voter's copy of the certificate of registration by typing  
7 or printing in ink. [~~Carbon paper may be used between the~~  
8 ~~original and the voter's copy.~~] The voter shall be given a  
9 duplicate, which may be a carbon copy, of the original, and  
10 which shall contain the name of the registration agent, if any,  
11 who assisted the applicant.

12 C. The qualified elector shall subscribe a  
13 certificate of registration as follows:

14 (1) [~~a person shall sign his original~~] by  
15 signing the certificate of registration using [~~his~~] the  
16 qualified elector's given name, middle name or initial and last  
17 name; or

18 (2) if any qualified elector seeking to  
19 register is unable to read and write either the English or  
20 Spanish language or is unable to read or write because of some  
21 physical disability, the certificate of [~~such~~] the person shall  
22 be filled out by a registration officer or agent and the name  
23 of the qualified elector so registering shall be subscribed by  
24 the making of [~~his~~] the qualified elector's mark.

25 D. When properly executed by the registration

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underscored material = new  
[bracketed material] = delete

1 officer or agent, the original [~~and the voter's copy~~] of the  
2 certificate of registration shall be presented, either in  
3 person or by mail by the qualified elector or by the  
4 registration agent or officer, to the county clerk of the  
5 county in which the qualified elector resides.

6 E. Only when the certificate of registration is  
7 properly filled out, subscribed by the qualified elector and  
8 accepted for filing by the county clerk as evidenced by [~~his~~]  
9 the county clerk's signature or stamp and the date of  
10 acceptance thereon shall it constitute an official public  
11 record of the registration of the qualified elector. It is  
12 unlawful for any information required on the certificate of  
13 registration to be copied, conveyed or used by anyone other  
14 than the person registering to vote, either before or after it  
15 is filed with the county clerk, except by elections  
16 administrators for purposes of the registration process.

17 F. A person who unlawfully copies, conveys or uses  
18 information from a certificate of registration is guilty of a  
19 fourth degree felony."

20 Section 3. EFFECTIVE DATE.--The effective date of the  
21 provisions of this act is July 1, 2005.